

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SANDRA GUZMAN,

Plaintiff,

vs.

NEWS CORPORATION, NYP HOLDINGS,
INC., d/b/a THE NEW YORK POST,
and COL ALLAN, in his official and
individual capacities,

Defendants.
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Civ. No.: 09 CV 9323(BSJ)(RLE)

**DECLARATION OF
MARK W. LERNER**

MARK W. LERNER, pursuant to 28 U.S.C. § 1746, declares:

1. I am a member of Kasowitz, Benson, Torres & Friedman LLP, attorneys for defendants News Corporation, NYP Holdings, Inc., d/b/a the New York Post, and Col Allan, in his official and individual capacities (together, “defendants”), in this action. I submit this declaration in support of defendants’ objections, made pursuant to FED. R. CIV. P. 72(a), to the Order of Magistrate Judge Ronald L. Ellis, dated June 29, 2012, denying defendants’ motion for a protective order as to certain deposition questions posed by plaintiff Sandra Guzman (“Guzman” or “plaintiff”).

2. Attached hereto as Exhibit A are true and correct copies of relevant portions of the transcript of the conference before Judge Ronald L. Ellis, dated July 7, 2011.

3. Attached hereto as Exhibit B are true and correct copies of relevant portions of the transcript of the deposition of Col Allan, dated February 14, 2012.

Dated: New York, New York
July 13, 2012

/s/ Mark W. Lerner
MARK W. LERNER